



Howard County Council

George Howard Building
3430 Courthouse Drive
Ellicott City, Maryland 21043-4392

COUNCILMEMBERS

Courtney Watson, Chairperson
District 1
Mary Kay Sigaty, Vice Chairperson
District 4
Calvin Ball
District 2
Greg Fox
District 5
Jennifer Terrasa
District 3

Minutes (approved, 5/5/08) County Council Legislative Work Session April 28, 2008

The meeting was called to order at 4:35 p.m.

Members present: Calvin Ball (left at 5:15 p.m.), Greg Fox, Mary Kay Sigaty, Jennifer Terrasa, Courtney Watson (left at 5:50 p.m.).

Discussion: The Council discussed the following legislation:

Council Bill No. 24-2008 – Establishing a Design Advisory Panel; and

Council Bill No. 25-2008 (ZRA-91) – Amending the Howard County Zoning Regulations to establish a requirement for review by the Design Advisory Panel of age-restricted adult housing projects that are required to receive conditional use approval; and generally related to age-restricted adult housing projects

Council member Calvin Ball distributed amendments proposed to address concerns raised at the hearing. Council member Greg Fox suggested that the Administration present their amendments first. Steve Lafferty, Deputy Director of the Department of Planning and Zoning, presented the following concepts for amendments: 1) The design advisory panel (DAP) would be applied only to Route 1 and age-restricted housing; 2) DPZ will propose a 45 day review period after the acceptance of language with the possibility of an additional 30 days for extra information that may be submitted; 3) DPZ will propose a bifurcated process, with some review at the sketch plan stage, but more detailed review when plans are available; 4) DPZ will notify people who have submitted comments of the decision; and 5) They will recommend a report after two years of experience rather than a sunset provision.

Mr. Fox asked for comments on two additional concerns. DPZ favors expanding the panel to 7 members, but does not favor having non-professional members. The historic areas already have regulations. DPZ will allow 15 days notice, rather than the 30 days requested, because of advertising requirements, and they will keep the record open. He also said that DPZ will ensure that the DAP review is consistent with the Route 1 standards.

The Administration confirmed that they would not object to the Council's tabling the bills, if necessary. The Council will examine proposed amendments before deciding whether or not to table the bills.

Council Bill No. 26-2008 – Introduced by Courtney Watson/Co. Spon. by Calvin Ball, Greg Fox, Mary Kay Sigaty & Jennifer Terrasa – Amending the Howard County Code to specify when petitions to amend the text of the zoning regulations may be filed with the County Council; and generally relating to zoning regulation text amendments

Paul Johnson, Deputy County Solicitor, joined the table, and Ms. Watson distributed a summary of comments submitted on the bill. They discussed various options for dates of submission of petitions and consideration by the

Council. They will have an amendment to change the submission months to January or February and August. There was some discussion of the merits of a sunset provision.

Council Resolution No. 31-2008 – Pursuant to the Howard County Cable Televisions Systems Franchise Act, granting an application received from Ellicott City Cable Company, LLC for a secondary cable television franchise in Taylor Village; and

Council Resolution No. 32-2008 – Pursuant to the Howard County Cable Televisions Systems Franchise Act, granting an application received from Ellicott City Cable Company, LLC for a secondary cable television franchise in Waverly Woods.

Paul Johnson clarified that approval of this legislation simply approves the application for a franchise; the franchise agreement itself will require a separate approval by the Council. Aaron Greenfield, Chief of Staff to the County Executive, explained that the FCC will deem the application approved if it is not acted upon within 90 days of submission. This application will be active through the end of May. Mr. Greenfield affirmed that the County will require Ellicott City Cable to provide access for Comcast as a condition of forwarding a franchise application to the Council.

A discussion followed about Comcast's exclusive access to public access broadcasting. Ira Levy, Director of Technology Services, said that the problem is interconnectivity. Comcast does not feel an obligation to provide for interconnectivity at their expense. Mr. Greenfield said that the County has offered to take over the interconnectivity issue.

Council Bill No. 27-2008 (ZRA-88) – Introduced by: The Chair at the request of Taylor Family Limited Partnership A & B - Amending the Howard County Zoning Regulations to permit retail and personal service uses for age-restricted adult housing in the POR zoning district by right in certain circumstances; permit retail and personal service uses permitted in the B-1 zoning district by right in certain circumstances in the PEC zoning district; and generally relating to retail and personal service uses.

Ms. Terrasa expressed concern about all B-1 uses in the POR and PEC zones, but she is working on amendments to allow some of the B-1 uses. Steve Lafferty explained that DPZ opposed the ZRA because they are not sure about all of the ramifications of the proposed change, and they are not sure that this ZRA serves the concerns of the county, rather than the concerns of one property owner. Ms. Watson expressed the concern that approving B-1 uses could offset the intent of POR, to encourage office development.

Mr. Fox raised a question first noted by Paul Johnson is his review of proposed amendments. In section 115.E.6.C., it is not clear who determines compatibility, a subjective standard. Mr. Johnson said that he would read it to imply that DPZ makes this determination, but the bill is not clear in that regard.

The meeting was adjourned at 6:05 p.m.